

No 48981

AMENDED
APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office APR 11 1985
 Returned to applicant for correction APR 22 1985
 Corrected application filed APR 23 1985
 Map filed APR 23 1985 under 48980

The applicant R.J.B. Development Co., Ralph Clendenen and Charlotte Campbell
100 No. Arlington Ave., Suite 340, of Reno,
Street and No. or P.O. Box No. City or Town
Nevada 89501, hereby make application for permission to appropriate the public
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorpora-

tion; if a copartnership or association, give names of members.) R.J.B. Development Co., is a Nevada Corporation, incorporated in September 21, 1971. Ralph Clendenen and Charlotte Campbell are individuals.

1. The source of the proposed appropriation is Rye Patch Canyon Creek
Name of stream, lake, spring, underground or other source
2. The amount of water applied for is 1.00 CFS second-feet
One second-foot equals 448.83 gals. per min.
 (a) If stored in reservoir give number of acre-feet Ground water storage 723.97 acre feet
3. The water to be used for Quasi-Municipal
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated: _____
 - (b) Stockwater, state number and kinds of animals to be watered: _____
 - (c) Other use (describe fully under "No. 12. Remarks" _____
 - (d) Power:
 - (1) Horsepower developed _____
 - (2) Point of return of water to stream _____
5. The water is to be diverted from its source at the following point: SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 26
Describe as being within a 40-acre subdivision of public
Township 30 North, Range 33 East, or at a point from which the West
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.
 $\frac{1}{4}$ corner of said Section 26 bears North 45°34'14" West, a distance
of 3358.43 feet.
6. Place of use Refer attached Legal Description, Exhibit "A"
Describe by legal subdivision. If on unsurveyed land, it should be so stated.
7. Use will begin about January 1st and end about December 31st, of each year.
Month and Day Month and Day
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Either natural or piped system to
State manner in which water is to be diverted, i.e. diversion structure, ditches and
recharge aquifers in use by domestic wells.
fumes, drilled well with pump and motor, etc.
9. Estimated cost of works \$8,000.00

10. Estimated time required to construct works Five Years
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use Ten Years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Water to be used for basin recharge to assure adequate supply for domestic wells within the aforementioned place of use. Flow will vary from year to year but application is intended to include all water available. Maximum number of units to be served from this source approximately 358.

Compared mc/se dl/cms

By s/Thomas H. Gallagher
Thomas H. Gallagher, Agent
248 Winter St., Suite 1
Reno, Nevada 89503

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the 1.0 c.f.s., herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water recharged.

The filing of the proof of beneficial use under this permit must include a copy of the recorded subdivision maps for the below mentioned phases of Rye Patch Ranch Estates and/or Humboldt River Ranch.

A suitable measuring device must be installed and accurate measurements of the water recharged must be included in the proof of such use when filed. In addition monthly records must be kept of the amount of water measured at the point of diversion and those records submitted to the State Engineer on an annual basis no later than January 30 of each year. The State retains the right to regulate the use of the water herein granted at any and all times.

(CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.0 cubic feet per second

Work must be prosecuted with reasonable diligence and be completed on or before March 1, 2001

Proof of completion of work shall be filed before April 1, 2001

Application of water to beneficial use shall be made on or before March 1, 2009

Proof of the application of water to beneficial use shall be filed on or before April 1, 2009

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed _____ IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of

Proof of beneficial use filed _____ my office, this 1st day of March

Cultural map filed _____ A.D. 19 99

Certificate No. _____ Issued _____
AFF. OF W/D 218 1.0 CFS 3/1/99

State Engineer

(PERMIT TERMS CONTINUED)

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 19688, Certificate 6945; 27944, Certificate 8526; 27945, Certificate 8838; 48514; 48515; 48516; 48517; 48518; 48519; 48980; 48981; 48982; and 61723 shall not exceed 5,024.31 acre-feet annually.

This permit is issued with the understanding that no consumptive use of this water is allowed and no alteration of the stream channel may be made. The beneficial use of the water granted herein shall not be diverted from its natural channel to allow for the recharge of the groundwater basin. The beneficial use of water of this permit will be as a result of the withdrawal of water from the domestic wells approved under the subdivision maps of Rye Patch Ranch Estates Phase A (511 lots); Rye Patch Ranch Estates - Phase B (129 lots); Rye Patch Ranch Estates - Phase C (348 lots); Humboldt River Ranch - Phase D (225 lots); Humboldt River Ranch - Phase E (349 lots); Humboldt River Ranch - Phase F (226 lots); and Humboldt River Ranch - Phase G (356 lots).



EXHIBIT "A"

Township 30 North, Range 33 East, M.D.B. & M.

Section 3: NE 1/4 of NW 1/4; Lot 1 of NE 1/4; Lot 1 of NW 1/4; S 1/2

Section 9: NE 1/4; NE 1/4 of NW 1/4; E 1/2 of NW 1/4 of NW 1/4; S 1/2 of NW 1/4; S 1/2

Section 11: All

Section 15: All

Section 16: W 1/2

Excepting therefrom that certain parcel of land described in Deed dated May 31, 1950, executed by Abigah E. Duncan and wife, to Lloyd Van Buren and Thomas Hamilton, recorded in Book 14, Page 391, described as follows, to-wit:

Beginning at a point which bears North 1°04' West 1365 feet from the Southwest corner of Section 16, Township 30 North, Range 33 East, M.D.B. & M., said point of beginning being at the intersection of the East boundary of the State Highway and the section line common to Sections 16 and 17, Township 30 North, Range 33 East, M.D.B. & M.; thence North 4°01' East along the Easterly State Highway right-of-way line 1,000 feet; thence South 85°59' East 300 feet; thence South 4°01' West 1,000 feet; thence North 85°59' West 300 feet to the point of beginning. Said parcel of land further described on plat Filed in the office of the County Recorder of Pershing County, State of Nevada, under File No. 34295.

Also excepting therefrom that certain parcel of land described in Deed from Cecil G. Campbell and Charlotte M. Campbell, also known as Charlotte Campbell, his wife, to Terminal City, Inc., a Nevada Corporation, recorded June 3, 1968, Roll 13, Page 86 of Official Records as File No. 66966.

Beginning at an old cedar post, the Southwest corner of Section 16, Township 30 North, Range 33 East, M.D.B. & M.; thence South 55°21'13" West 277.34 feet to a brass plate set in concrete, being Engineer's Station "OE" 274+69.83 P.O.T. Nevada State Highway Project I-80-2 (5) 126; thence North 4°07'53" East 2555.35 feet along line "OE" to Engineer's Station 300 + 25.18; thence South 85°52'07" East 200.00 feet to the true point of beginning; thence continuing South 85°52'07" East 164.95 feet; thence North 46°03'53" East 444.00 feet to a point; thence North 4°07'53" East 925.52 feet to a point; thence North



85°52'07" West 461.66 feet to a point on the Easterly right-of-way line of said Highway Project; thence South 4°07'53" West 150.00 feet along said right-of-way line; thence South 85°52'07" East 25.00 feet along said right-of-way; thence South 4°07'53" West 300 feet along said right-of-way; thence North 85°52'07" West 25.00 feet along said right-of-way; thence South 4°07'53" West 805.82 feet along said right-of-way to the true point of beginning.

Section 21: S 1/2; N 1/2 of NE 1/4; NW 1/4

Section 22: All

Section 27: All

Section 28: All

Section 33: All

Excepting from the above described lands any portion which falls within the boundaries of the land condemned for Highway purposes, by Final Decree of Condemnation, a certified copy of which was recorded in Volume 1, Page 88, Official Records of Pershing County, Nevada.

Also excepting from the above described lands any portion which falls within the boundaries of the lands as granted to the County of Pershing, a body politic of the State of Nevada, in Deed recorded in Book 19, Page 35 File No. 53688, Official Records of Pershing County, Nevada.

Strip of land 60 feet wide, through Sections 16, 21 and 22, (called "Spur Connection Road").

Also excepting from the above described lands any portion which falls within the boundaries of the lands being 60 feet in width, over and across the W 1/2 of W 1/2 of Section 22, called a "Access Service Road" and a 20 foot strip over and across the E 1/2 of NW 1/4 of Section 22 called a "Spur Connection Road", all in Township 30 North, Range 33 East, M.D.B. & M., as granted to the County of Pershing, a body politic of the State of Nevada, recorded January 30, 1962, in Book 19, Page 571, File No. 54060, Official Records of Pershing County, Nevada.

